HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE G.V. SEETHAPATHY

Writ Petition No.227 of 1994

Between:

M/s Sri Vkishnu Cements Ltd.,
Panjagutta, Hyderabad,
represented by its Executive Director
Sri K.B. Vishnu Raju. … Petitioner.

and

Andhra Pradesh State Electricity Board,
represented by its Secretary, Vidyut
Soudha, Somajiguda, Hyderabad.-
and others.

… Respondents

:ORDER:

Counsel for the petitioner : Sri Kiran Tirumalasetti
for Duba V.N. Babu.

Counsel for respondents : Sri V. Ajay Kumar,
Standing Counsel for
A.P. Transco

28th August, 2006

Per G.S. Singhvi, C.J.

In this petition, the petitioner has questioned the legality of demand created by Andhra Pradesh State Electricity Board, Hyderabad towards penal interest of Rs.21,31,936/-.

At the hearing, Sri Kiran Tirumalasetti, representing Sri Duba V.N. Babu, learned advocate for the petitioner fairly stated that the petitioner's challenge is liable to be negatived in view of the judgment of the Division Bench of this Court in **Nava Bharat Ferro Alloys Limited vs. Andhra Pradesh State Electricity, Board, Hyderabad**[1].

We appreciate the fair stand taken by the learned counsel and dismiss the Writ Petition in terms of the judgment in **Nava Bharat Ferro Alloys Limited vs. Andhra Pradesh State Electricity Board, Hyderabad** (supra). Simultaneously, we direct that the petitioner shall deposit the amount due in six equated instalments.

G.S. SINGHVI, CJ

28th August, 2006 **G.V. SEETHAPATHY, J**

vtv

[1] 2002(4) ALD 34